

NO. \_\_\_\_\_  
FILED  
MAY 15 2017  
HAZEL L. PARKER  
CLERK OF DISTRICT COURT  
DEPUTY *B. Parker*

MONTANA SIXTEENTH JUDICIAL DISTRICT COURT  
CUSTER COUNTY

STATE OF MONTANA,  Plaintiff,  vs.  <b>RICHARD (RICK) BRANDT</b> ,  Defendant.	Cause No. <u>DC 2015-59</u>  <i>Honorable Michael B. Hayworth</i>  <b>CORRECTED JUDGMENT AND SENTENCING ORDER</b>
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This *Corrected Judgment and Sentencing Order* is issued to correct the written *Judgment and Sentencing Order* to conform to the oral pronouncement.

THIS MATTER came before the Court on May 1, 2017, for Sentencing.

The Defendant **RICHARD (RICK) BRANDT** was personally present with defense counsel Joseph Zavatsky. The State was represented by Assistant Attorney General and Special Deputy Custer County Attorney Brett O'Neil and Custer County Attorney Wyatt Glade. Also present was Montana Department of Correction Adult Probation and Parole Officer Samuel Ferguson.

At the close of jury trial on March 16, 2017, the Defendant was found "guilty" of the charged offenses of COUNT 1: EXPLOITATION OF AN OLDER PERSON (common scheme), a felony, as specified in § 52-3-825(3), MCA; COUNT 2: THEFT BY EMBEZZLEMENT (common scheme), a felony, as specified in § 45-6-301(7)(b), MCA; COUNT 3: FAILURE TO REGISTER AS A SECURITIES SALESPERSON (common scheme), a felony, as specified in §

30-10-201(1), MCA; COUNT 4: FAILURE TO REGISTER A SECURITY (common scheme), a felony, as specified in § 30-10-202, MCA; COUNT 5: FRAUDULENT PRACTICES (common scheme), a felony, as specified in § 30-10-301(c), MCA; and COUNT 6: OPERATING A PYRAMID PROMOTIONAL SCHEME (Ponzi Scheme) (common scheme), a felony, as specified in §§ 30-10-324(7)(b) and 30-10-325, MCA, each offense committed within Custer County, Montana, on or between the dates of January 2011 and June 2015.

IT IS THE JUDGMENT OF THE COURT that based on the jury's verdicts IT IS ADJUDGED AND DECREED that the Defendant is GUILTY of the offenses of COUNT 1: EXPLOITATION OF AN OLDER PERSON (common scheme), a felony, as specified in § 52-3-825(3), MCA; COUNT 2: THEFT BY EMBEZZLEMENT (common scheme), a felony, as specified in § 45-6-301(7)(b), MCA; COUNT 3: FAILURE TO REGISTER AS A SECURITIES SALESPERSON (common scheme), a felony, as specified in § 30-10-201(1), MCA; COUNT 4: FAILURE TO REGISTER A SECURITY (common scheme), a felony, as specified in § 30-10-202, MCA; COUNT 5: FRAUDULENT PRACTICES (common scheme), a felony, as specified in § 30-10-301(c), MCA; and COUNT 6: OPERATING A PYRAMID PROMOTIONAL SCHEME (Ponzi Scheme) (common scheme), a felony, as specified in §§ 30-10-324(7)(b) and 30-10-325, MCA.

1. The Defense seeks a sentence of "50 year commitment to the Montana State Prison with 40 years suspended." Defendant's Sentencing Memorandum, page 2. As modified during the Sentencing Hearing, the State seeks the sentence adopted by the Court.

2. In formulating the Sentence the Court considered the scope of the scheme and financial loss suffered by the victims. At nearly 2 million dollars, the amount is more than 1,000 times the felony threshold of \$1,500.00.

3. The Court considered that the scheme extended to 18 victims. Each of the victims was elderly (as defined by Montana law), or disabled. The Defendant used his knowledge of the individuals to manipulate and entice continuing “house-flipping investments” although funds were immediately going to pay earlier investors and personal expenses. The Defendant continued to solicit the funds as an “investment” although the money was not being invested in house flipping, and thus had no opportunity for return of principal or income. The Defendant acted with disregard for the wellbeing of the individuals he reports to have cared for.

4. The Court considered that the Defendant continued to solicit and receive monies over a four year period. This was not a short term or limited scheme. The Defendant perpetuated the scheme as it continued to grow until it was discovered. The scheme ended only when the Defendant was forced to cease the operation.

5. Even as the Defendant asserts that the house flipping was providing no funds to repay investors, the Defendant was utilizing “investment” funds for his own purposes including family trips to California and Hawaii, paying his own personal bills, and paying his children’s personal obligations.

6. The losses caused by the Defendant exceeded the loss of money. Individuals lost their financial security, their plans for the future, and their dignity to the scheme.

7. The Court has considered the factors from Section 46-18-225(2), MCA.

(a) The interests of justice and the needs of public safety truly require the level of security provided by imprisonment of the offender in a state prison. While not violent, the Defendant’s conduct over the four year period was predatory.

(b) The needs of the offender cannot be better served in the community or in a facility or program other than a state prison. The Defendant has no chemical dependency issue to be

addressed through such treatment. No other program or facility better serves this situation.

(c) There are no substantial grounds tending to excuse or justify the offense, though failing to establish a defense.

(d) The offender did not act under provocation.

(e) During the two years since this offense has come to light, the offender has not made restitution payments. The offender proposes to make restitution payments from 2 unsold homes purchased using “investment” funds. A third home, the Defendant’s residence, is subject to a mortgage and tax liens that likely eliminate any equity. The two “investment” homes were already owned by the “investors” and are not restitution from the Defendant. The Defendant intends to pay restitution from his near-minimum wage McDonald’s earnings. The offender refused to identify assets jointly held with his wife for the purposes of determining ability to pay restitution from other sources. There is no basis upon which to believe that if released the Defendant will make substantial restitution to the victims of the offender’s criminal conduct.

(f) The offender has no prior history of conviction for a criminal act.

(g) The offender’s criminal conduct was not the result of circumstances that are unlikely to recur. These acts were committed as a continuing course of conduct over a 4 year period. The Defendant essentially maintains that he is a victim of bad business deals, like other “investors”. The Defendant refuses to acknowledge that even draining Ms. Geis’s account from \$90,000.00 to overdrawn, prompting threatened eviction from the nursing home, was a crime. While not violent, the conduct is predatory, and cannot be characterized as the result of circumstances that are unlikely to recur.

(h) The character and attitude of the offender indicate that the offender is likely to commit another crime. As set forth herein, the Defendant’s view of these offenses is that he has

not committed any crime; and his actions were justified by good intentions. The Defendant's character and attitude do not indicate that the offender is unlikely to commit another similar crime.

(i) It cannot be determined if the offender is likely to respond quickly to correctional or rehabilitative treatment. Given the foregoing, the Court does not make this conclusion.

(j) The Court does not find that imprisonment of the offender would create an excessive hardship on the offender or the offender's family, as no evidence was presented to support this conclusion.

8. As to the offense of COUNT 1: EXPLOITATION OF AN OLDER PERSON (common scheme), a felony, the Defendant is committed to the custody of the Montana State Prison for a term of **ten (10) years, with no time suspended.**

For Count 1 the Defendant shall pay applicable conviction surcharges and other fees, namely:

- **\$20.00** Conviction Surcharge – Felony, 46-18-236(1)(b), payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.
- **\$10.00** Court Information Technology Surcharge, 3-1-317(1)(a), payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.
- **\$50.00** Victim Advocate Surcharge, 46-18-236(1)(c); payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.
- **\$50.00.** PSI Report fee. 46-18-111, payable to Department of Corrections Collection Unit, P.O. Box 201350, Helena, MT 59620.
- **\$100.00.** Cost of Prosecution. 46-18-232; payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.

- **\$3,921.50, which is SUSPENDED**, for Cost of Assigned Counsel. 46-8-113, payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.

9. As to the offense of COUNT 2: THEFT BY EMBEZZLEMENT (common scheme), a felony, the Defendant is committed to the custody of the Montana State Prison for a term of **ten (10) years, all of which is suspended.**

For Count 2 the Defendant shall pay applicable conviction surcharges and other fees, namely:

- **\$20.00** Conviction Surcharge – Felony, 46-18-236(1)(b), payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.
- **\$50.00** Victim Advocate Surcharge, 46-18-236(1)(c); payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.

10. As to the offense of COUNT 3: FAILURE TO REGISTER AS A SECURITIES SALESPERSON (common scheme), a felony, the Defendant is committed to the custody of the Montana State Prison for a term of **ten (10) years, suspending 5 years of the commitment.**

For Count 3 the Defendant shall pay applicable conviction surcharges and other fees, namely:

- **\$20.00** Conviction Surcharge – Felony, 46-18-236(1)(b), payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.
- **\$50.00** Victim Advocate Surcharge, 46-18-236(1)(c); payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.

11. As to the offense of COUNT 4: FAILURE TO REGISTER A SECURITY (common scheme), a felony, the Defendant is committed to the custody of the Montana State

Prison for a term of **ten (10) years, suspending 5 years of the commitment.**

For Count 4 the Defendant shall pay applicable conviction surcharges and other fees,  
namely:

- **\$20.00** Conviction Surcharge – Felony, 46-18-236(1)(b), payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.
- **\$50.00** Victim Advocate Surcharge, 46-18-236(1)(c); payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.

12. As to the offense of COUNT 5: FRAUDULENT PRACTICES (common scheme), a felony, the Defendant is committed to the custody of the Montana State Prison for a term of **ten (10) years, none of which is suspended.**

For Count 5 the Defendant shall pay applicable conviction surcharges and other fees,  
namely:

- **\$20.00** Conviction Surcharge – Felony, 46-18-236(1)(b), payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.
- **\$50.00** Victim Advocate Surcharge, 46-18-236(1)(c); payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.

13. As to the offense of COUNT 6: OPERATING A PYRAMID PROMOTIONAL SCHEME (Ponzi Scheme) (common scheme), a felony, the Defendant is committed to the custody of the Montana State Prison for a term of **ten (10) years, with no time suspended.**

For Count 6 the Defendant shall pay applicable conviction surcharges and other fees,  
namely:

- **\$20.00** Conviction Surcharge – Felony, 46-18-236(1)(b), payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.

- **\$50.00** Victim Advocate Surcharge, 46-18-236(1)(c); payable to the Clerk of District Court, 1010 Main Street, Miles City, MT 59301.

14. NO FINE is imposed for any Count herein. The punishment is the term of sentence. To any extent the Defendant has financial resources; the resources must go to repay his victims.

15. All terms of sentence run CONSECUTIVE. The terms are consecutive because although charged as single offenses, each offense was part of a common scheme committed against 18 victims over the course of four years. The net sentence term is sixty (60) years of commitment to a Montana State Prison, suspending 20 years of the commitment.

16. Pursuant to Section 46-8-113(1)(b), M.C.A., "If the case goes to trial, the defendant shall pay the costs incurred by the office of state public defender for providing the defendant with counsel in the criminal trial." The office of state public defender has filed with the court a statement of the hours spent on the case and the costs and expenses incurred for the trial, and provided a statement at the Sentencing Hearing, namely 63.25 hours at \$62.00 per hour the cost of appointed counsel is \$3,921.50.

17. At the Sentencing Hearing the Court imposed the cost of assigned counsel. However, upon review of this matter, the imposition of the cost of assigned counsel is likely moot. Wherefore, deviating from the oral pronouncement, the Court SUSPENDS imposition of the cost of assigned counsel. If later imposed, payment of this obligation is subject to later review as allowed by Section 46-8-113(5), M.C.A.

18. The Defendant is assessed restitution as set forth below. The Defendant shall pay court-ordered restitution by money order or cashier's check sent to the Department of Corrections, Collection Unit, PO Box 201350, Helena, MT 59620. The Defendant shall be

assessed a 10% administration fee on all restitution ordered. All of the methods for collection of restitution provided under §46-18-241 through §46-18-249, MCA, shall apply, including garnishment of wages and interception of tax refunds. Pursuant to §46-18-244(6)(b), MCA, the Defendant shall sign a statement allowing any employer to garnish up to 25% of his/her wages. The Defendant shall continue to make monthly restitution payments until He has paid full restitution, even after incarceration or supervision has ended.

Restitution (totaling **\$1,987,138.90**) is required as follows:

<b>\$88,479.18</b>	Alan Brown, 914 Palmer, Miles City, MT 59301.
<b>\$28,461.64</b>	Bernice Rooney, 416 N. Strevell, Miles City, MT 59301.
<b>\$6,641.10</b>	Beth Winter, 1817 Bridge Street, Miles City, MT 59301.
<b>\$211,451.23</b>	Charles and Nancy Waldie, 3240 Moon Creek Road, Miles City, MT 59301.
<b>\$21,994.31</b>	Darvin Leidholt, 1819 N. Daly Avenue, Miles City, MT 59301.
<b>\$17,096.35</b>	Frances Frey, 151 Palisades Drive, #107, Miles City, MT 59301.
<b>\$613,260.30</b>	Gary Glasgow, 1124 Yale Avenue, Billings, MT 59102.
<b>\$36,566.99</b>	Johnny Frankforter, 1948 Custer Avenue, Billings, MT 59102.
<b>\$44,136.82</b>	The estate of Oleta Geis in care of Susan Mattocks, 2600 Wilson Street, Suite #2, Miles City, MT 59301.
<b>\$2,856.84</b>	Susan Mattocks, 2600 Wilson Street, Suite #2, Miles City, MT 59301.
<b>\$477,997.60</b>	Joseph and Joann Feist, 3840 Rimrock Road, #3108, Billings, MT 59102.
<b>\$52,299.41</b>	Roger and Melba Losing, 505 Stephanie Street, Miles City, MT 59301.
<b>\$5,000.00</b>	Margaret Wiser. 3905 Third Avenue South, Billings, MT 59101.

Upon satisfaction of the foregoing restitution obligations, the Defendant shall pay restitution as follows:

**\$380,897.13** The Office of the State Auditor, Commissioner of Securities and Insurance, 840 Helena Avenue, Helena, MT 59601.

Each Victim supports the claim for restitution by affidavit and supporting documentation. Section 46-18-242(1)(b), M.C.A.

**The first priority for financial obligations is good faith payments toward restitution to the private victims.** Payment of restitution to the State Auditor is secondary, and thereafter other financial obligations of sentence are to be paid.

The Estate of Bonnie Hetland did not submit a pecuniary loss affidavit. No restitution is ordered.

19. Payment of the financial obligations imposed herein shall be made in the following priority:

1. Payment of actual loss to victims as set forth herein until each is paid in full. The loss amounts stated herein have been adjusted to reflect amount recouped by each victim through the Office of the State Auditor, Commissioner of Securities and Insurance.

2. Payment of the 10% Department of Corrections collection surcharge for restitution collected and paid to the private victims of the offenses.

3. Payment of actual loss and Department of Correction 10% collection surcharge for restitution amounts due to Office of the State Auditor, Commissioner of Securities and Insurance.

4. Fees and surcharges as dictated by statute. If later imposed, payment for the cost of assigned counsel shall be paid at the time other fees and surcharges are paid.

20. From page 8 of the Pre-Sentence Investigation Report, the following homes were found to currently be owned by the Defendant's business:

22 Wednesday Drive, Miles City, MT 59301. Estimated value \$107,919.00

7000 East 132nd Street, Grand View, MO 64030. Estimated value \$121,686.00

4422 Carlisle Avenue, Kansas City, MO 64133. Estimated value \$70,000.00

Properties purchased with "investor" funds are not strictly restitution from the Defendant's assets, but these properties may be a source from which to recover a portion of the restitution otherwise ordered by the Court.

To any extent that real property is owned by the Defendant's businesses ('Home Investors, LLC' or 'Faith Investors, LLC' or 'Pace Investment Corp.'), the Department of Corrections Restitution Collection Unit is authorized to liquidate the property to fund restitution. The Office of the State Auditor, Commissioner of Securities and Insurance, is directed to assist with the process.

Nothing herein requires liquidation of each property. It may be the case that a property is subject to a mortgage or liens that cause liquidation to yield no proceeds for investors. In such case, liquidation is not required.

21. The Defendant is granted credit against the sentence of **forty-eight (48) days** of pre-sentence/pre-conviction incarceration served. Section 46-18-403(1), M.C.A. Credit is not granted against any financial obligation of sentence. Section 46-18-403(2), M.C.A.

22. The pretrial release conditions and requirements are vacated, except as adopted herein as conditions of supervision.

23. This Court recommends that during the term of sentence that the Defendant be under the supervision of Montana Department of Corrections, Adult Probation and Parole, and

be subject to the standard rules, regulations and requirements during supervision as well as special requirements as established by the Court, namely:

1. The Defendant shall be placed under the supervision of the Department of Corrections, subject to all rules and regulations of the Adult Probation & Parole Bureau.
2. The Defendant must obtain prior written approval from his/her supervising officer before taking up residence in any location. The Defendant shall not change his/her place of residence without first obtaining written permission from his/her supervising officer or the officer's designee. The Defendant must make the residence open and available to an officer for a home visit or for a search upon reasonable suspicion. The Defendant will not own dangerous or vicious animals and will not use any device that would hinder an officer from visiting or searching the residence.
3. The Defendant must obtain permission from his/her supervising officer or the officer's designee before leaving his/her assigned district.
4. The Defendant must seek and maintain employment or maintain a program approved by the Board of Pardons and Parole or the supervising officer. Unless otherwise directed by his/her supervising officer, the Defendant must inform his/her employer and any other person or entity, as determined by the supervising officer, of his/her status on probation, parole, or other community supervision.
5. Unless otherwise directed, the Defendant must submit written monthly reports to his/her supervising officer on forms provided by the probation and parole bureau. The Defendant must personally contact his/her supervising officer or designee when directed by the officer.
6. The Defendant is prohibited from using, owning, possessing, transferring, or controlling any firearm, ammunition (including black powder), weapon, or chemical agent such as oleoresin capsicum or pepper spray.
7. The Defendant must obtain permission from his/her supervising officer before engaging in a business, purchasing real property, purchasing an automobile, or incurring a debt.
8. Upon reasonable suspicion that the Defendant has violated the conditions of supervision, a probation and parole officer may search the person, vehicle, and residence of the Defendant, and the Defendant must submit to such search. A probation and parole officer may authorize a law enforcement agency to conduct a search, provided the probation and parole officer determines reasonable suspicion exists that the Defendant has violated the conditions of supervision.

9. The Defendant must comply with all municipal, county, state, and federal laws and ordinances and shall conduct himself/herself as a good citizen. The Defendant is required, within 72 hours, to report any arrest or contact with law enforcement to his/her supervising officer or designee. The Defendant must be cooperative and truthful in all communications and dealings with any probation and parole officer and with any law enforcement agency.
10. The Defendant is prohibited from using or possessing alcoholic beverages and illegal drugs. The Defendant is required to submit to bodily fluid testing for drugs or alcohol on a random or routine basis and without reasonable suspicion.
11. The Defendant is prohibited from gambling.
12. The Defendant shall pay all fines, fees, and restitution ordered by the sentencing court.
13. The Defendant shall pay the following fees and/or charges:
  - i. The Probation & Parole Officer shall determine the amount of supervision fees (§46-23-1031, MCA) to be paid each month in the form of money order or cashier's check to the Department of Corrections Collection Unit, P.O. Box 201350, Helena, MT 59620 (\$50 per month if the Defendant is sentenced under §45-9-202, MCA, dangerous drug felony offense and placed on ISP). The DOC shall take a portion of the Defendant's inmate account if the Defendant is incarcerated.
  - ii. The Defendant shall pay court-ordered restitution by money order or cashier's check sent to the Department of Corrections, Collection Unit, PO Box 201350, Helena, MT 59620. The Defendant shall be assessed a 10% administration fee on all restitution ordered. All of the methods for collection of restitution provided under §46-18-241 through §46-18-249, MCA, shall apply, including garnishment of wages and interception of tax refunds. Pursuant to §46-18-244(6)(b), MCA, the Defendant shall sign a statement allowing any employer to garnish up to 25% of his/her wages. The Defendant shall continue to make monthly restitution payments until he/she has paid full restitution, even after incarceration or supervision has ended.
14. The Defendant shall submit to DNA testing. (§44-6-103, MCA)
15. The Defendant shall be given credit against the time served in jail prior to or after conviction. (§46-18-403, MCA)
16. The Defendant will surrender to the court any registry identification card issued under the Medical Marijuana Act. [§46-18-202(1)(f), MCA]

17. The Defendant shall obtain a chemical dependency evaluation by a state-approved evaluator. The Defendant shall pay for the evaluation and follow all the evaluator's treatment recommendations.
18. The Defendant shall obtain a mental health evaluation/assessment by a state-approved evaluator. The Defendant shall pay for the evaluation and follow all the evaluator's treatment recommendations.
19. The Defendant shall successfully complete Cognitive Principles & Restructuring (CP&R) or similar cognitive and behavioral modification program.
20. The Defendant shall not possess or use any electronic device or scanner capable of listening to law enforcement communications.
21. The Defendant shall abide by a curfew as determined necessary and appropriate by the Probation & Parole Officer.
22. The Defendant shall not enter any bars.
23. The Defendant shall not enter any casinos.
24. The Defendant shall not establish a checking or credit account.
25. The Defendant shall not knowingly associate with probationers, parolees, prison inmates, or persons in the custody of any law enforcement agency without prior approval from the Probation & Parole Officer. The Defendant shall not associate with persons as ordered by the court or BOPP.
26. The Defendant shall provide yearly credit report.
27. The Defendant shall not knowingly have any contact, oral, written, electronic or through a third party, with the victim(s) unless such contact is voluntarily initiated by the victim(s) through the Department of Corrections. DOC staff may notify victims about the availability of opportunities for facilitated contact with their offenders without being considered "third parties."
28. The Defendant shall inform the Probation & Parole Officer of all prescriptions obtained from medical personnel prior to filling them. The Defendant shall take all prescription medications as prescribed and in the manner in which they were prescribed.
29. The Defendant is prohibited from obtaining a medical marijuana registry card or using marijuana recreationally without prior authorization from the sentencing court.
30. The Defendant shall comply with all sanctions given as a result of an intervention, on-site (preliminary), or disciplinary hearing.

31. The Defendant may not be a registered card holder and may not obtain or possess a registry identification card under the Montana Medical Marijuana Act while in the custody or under the supervision of the Department of Corrections or a youth court. [§50-46-307(4), MCA]
32. The PSI report shall be released by the Department to certain persons, such as treatment providers, mental health providers, and/or medical providers, as needed for the Defendant's rehabilitation.

The Court finds pursuant to State v. Ashby that all conditions imposed by this Court are reasonable, necessary, and associated with the Defendant's history and/or crime committed. The probation terms and conditions are adopted in order to support the Defendant's successful completion of the term of sentence.

**The Defendant is placed on notice that Pursuant to Section 46-18-116, M.C.A., if a written judgment and an oral pronouncement of sentence or other disposition conflict, the defendant may, within 120 days after filing of the written judgment, request that the court modify the written judgment to conform to the oral pronouncement. Failure to object to a conflict within 120 days after the filing of the written judgment waives the right to conform the written judgment to the oral pronouncement.**

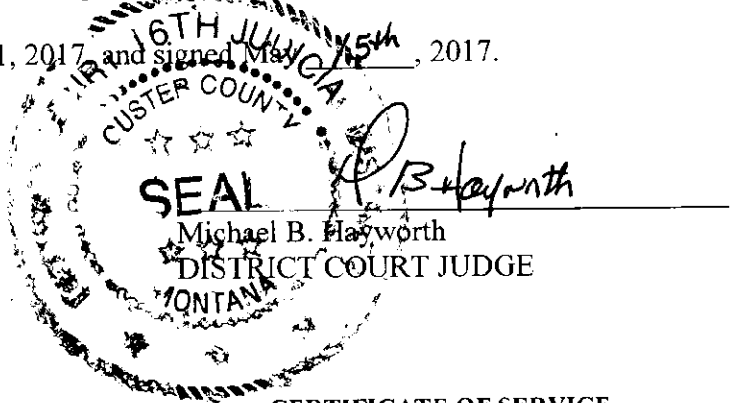
The reasons for this judgment are set forth above.

The Defendant is remanded to custody of the Department for placement at a MONTANA STATE PRISON designated by the Department.

Any bond posted is hereby exonerated, except that any cash bond posted by the Defendant shall be first applied to the financial obligations imposed herein with the balance returned to the Defendant.

The Clerk of Court shall provide a copy of this Order as noted below.

Ordered from the Bench May 1, 2017 and signed May 15<sup>th</sup>, 2017.



Cc: County Attorney's Office  
Defense counsel  
Department of Corrections

**CERTIFICATE OF SERVICE**

This is to certify that the foregoing was duly served by  
U.S. Mail or Email scan upon the parties or their  
attorneys of record at their last known address this

16<sup>th</sup> day of May, 2017.

By B. Statow